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DATE: December 13, 2000

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Patent and Trademarks

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COMMENTS:

Serial No: 08/974,186
Applicant: Boyle et al.
Date Filed: November 18, 1997
Docket No.: A-378D5C

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PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Boyle et al.

Serial No.: 08/974,186

Group Art Unit No.: 1632

Filed: November 18, 1997

Examiner: Woitach, J.

For: OSTEOPROTEGERIN

Docket No.: A-378D5C

SECOND AMENDMENT AFTER FINAL REJECTIONAssistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please amend the application as follows:

In the claims:

Please cancel Claim 50 without prejudice.

*Okay to
cancel QW*

D Sub E'

49. (amended) A method of increasing [regulating] levels of osteoprotegerin in a mammal [an animal] comprising modifying the mammal [animal] with a nucleic acid encoding osteoprotegerin, wherein the modification of the mammal with the nucleic acid results in an increase in the level of osteoprotegerin.

2 51. (amended) The method of Claim 49 wherein the mammal [animal] is a human.

Sub E'

52. (amended) The method of Claim 51 wherein the nucleic acid encodes osteoprotegerin comprising [comprises] the amino acid sequence as shown in Figure 9B (SEQ ID NO: 5).

Sub E'

53. (amended) The method of Claim 51 wherein the nucleic acid encodes osteoprotegerin comprising [comprises] a [deletion or] carboxy-terminal truncation of the amino acid sequence as shown in Figure 9B (SEQ ID NO: 5).

Please add the following new claim:

Sub E'

54. (new) The method of Claim 51 wherein the nucleic acid encodes osteoprotegerin comprising a deletion of the amino acid sequence as shown in Figure 9B (SEQ ID NO:5) wherein the deletion comprises removal of the amino terminal leader sequence.

CERTIFICATE OF FACSIMILE TRANSMISSION

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December 13, 2000
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